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land *v. Vincent*, 10 Metc. (Mass.) 371, 43 Am. Dec. 442; *Garner v. Town of East Point*, 67 S. E. 847.

This is a headnote opinion by Supreme Court of Georgia.

Scope of Statute Abolishing Survivorship between Tenants by Entireties.—It was decided by the Supreme Court of West Virginia in *Irvin v. Stover*, 67 S. E. 1119, that § 18, ch. 71, of their Code abolishing the common-law right of survivorship between tenants by entireties, did not apply to a life estate by entireties, but that survivorship as to such an estate remains at common law. In other words that provision of their Code applies only to estates of inheritance. But it is unlikely that this decision would be followed in Virginia, because § 2430 of the Code of 1904 in abolishing survivorship uses the terms "any estate;" and this would certainly indicate an intention on the part of the legislature to include estates of every kind whatsoever, especially as this was passed as an amendment to a similar section in the Code of 1850 which applied in terms only to estates of inheritance.

Registration of Automobiles as Affecting Recovery for Injuries to Passengers.—In *Feeley v. City of Melrose*, 91 Northeastern Reporter, 306, the Supreme Judicial Court of Massachusetts held that, where an automobile was not registered as required by law, there could be no recovery for injuries to the passengers, or for damages to the automobile, caused by running into an open trench in a highway, although the passengers did not know that it was not registered. It appeared that the automobile had been registered, but that there had been a transfer of its ownership before the accident, thereby causing the registration to expire, a statute providing that upon the transfer of ownership of any automobile its registration expired. As no new registration was made, the court held that the automobile was unlawfully upon the highway, and that the passengers were not travelers, but trespassers.*

*It is unlikely that the decision in this case will be very generally followed. It seems misleading in the extreme to state that no duty is owing to the innocent occupants of an auto in such a case as this, where injuries were reasonably to have been anticipated by a failure to properly maintain the highway in proper repair.

The rule in this jurisdiction is well settled that the violation of a statute or municipal ordinance is merely evidence of negligence, and is not in any sense *prima facie* evidence thereof. But even in those jurisdictions in which it is held that such violation is negligence *per se*, a causal connection between the act and the injuries must still be established. *Platt, etc., Canal Co. v. Dowell*, 17 Colo. 376; *Pennsylvania R. Co. v. Hensil*, 70 Ind. 569.

Thus it has been said that a person violating a public ordinance is a wrongdoer and negligent *ex necessitate* in the eye of the law, but